

REMARKS

This Amendment is filed in response to the Office Action mailed on August 2, 2004. All objections and rejections are respectfully traversed.

Claims 1-36 are in the case.

Claims 17-36 were added to better claim the invention.

Claims 7 and 10 were amended to better claim the invention.

At Paragraph 3 of the Office Action claim 10 was objected to as being dependent from the wrong claim. Amendment of the claims is believed to satisfy this objection.

At Paragraphs 4-5 of the Office Action claims 1-5 and 9-14 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Carusone, Jr., et al. U. S. Patent No. 5,157,667 issued October 20, 1992 (hereinafter Carusone, Jr.).

The present invention, as set forth in representative claim 1, comprises in part:

1. A method for storing and distributing data in a network storage system having a plurality of devices interconnected with one or more switches, the method comprising the steps of:

writing, by one of the plurality of devices, a set of data to a memory associated with a port of one of the one or more switches, the memory being readable by all of the plurality of devices; and
reading, by one of the plurality of devices, the set of data from the memory.

Carusone, Jr. discloses a switch having ports, the ports each connected to a link. Each link has a control unit, and has a plurality of peripheral devices. When any unit detects an error in a link, or in a peripheral device, the unit sends a notification of the error to central location. The central location then determines which device is causing the error.

Applicant respectfully urges that Carusone, Jr. has no disclosure of Applicant's claimed novel *writing, by one of the plurality of devices, a set of data to a memory associated with a port of one of the one or more switches, the memory being readable by all of the plurality of devices*.

In Carusone, Jr. the neighbors of a failed device report error messages to a central location. In sharp contrast, Applicant claims each device *writing* it's own identification data to *a memory*, the *a memory* being centrally located in a switch.

Accordingly, Applicant respectfully urges that Carusone, Jr. is legally precluded from anticipating the presently claimed invention because of the absence from Carusone, Jr. of Applicant's claimed novel *writing, by one of the plurality of devices, a set of data*

to a memory associated with a port of one of the one or more switches, the memory being readable by all of the plurality of devices.

At Paragraphs 6-7 of the Office Action claims 6, 8, and 15-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Carusone, Jr.

Applicant respectfully notes that claims 6, 8, and 15 are dependent claims which are dependent from independent claims, and the independent claims are believed to be in condition for allowance. Accordingly claims 6, 8, and 15 are believed to be in condition for allowance.

The present invention, as set forth in representative Claim 16, comprises in part:

16. A computer-readable medium, including program instructions executing on a file server, for storing and distributing data in a network storage system, the program instructions performing the steps of:
writing, *by one of the plurality of devices*, a set of data to a memory associated with a port of a switch, the memory being readable by all of said plurality of devices connected to the network storage system.

Applicant respectfully urges that, as set forth in the argument based on Claim 1, Carusone, Jr. has no disclosure of Applicant's claimed novel writing, "*by one of the plu-*

rality of devices, a set of data to a memory associated with a port of a switch” as set out in claim 16.

Accordingly, Applicant respectfully urges that Carusone, Jr. is legally precluded from rendering obvious Claim 16 under 35 U.S.C. § 103 because of the absence from Carusone, Jr. of Applicant’s claimed novel *writing, by one of the plurality of devices, a set of data*.

At Paragraph 8 of the Office Action claim 7 was indicated to be allowable if written in independent form. Accordingly, Claim 7 has been amended as suggested.

All independent claims are believed to be in condition for allowance.

All dependent claims are dependent from independent claims which are believed to be in condition for allowance. Accordingly, all dependent claims are believed to be in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account

No. 03-1237.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "A. Sidney Johnston".

A. Sidney Johnston
Reg. No. 29,548
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500